

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILLIP BLACKWOOD,

Plaintiff,

-against-

WESTCHESTER COUNTY JAIL, et al.,

Defendants.

1:23-CV-2656 (LTS)

ORDER DIRECTING PAYMENT OF FEES
OR AMENDED IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is currently held in the Westchester County Jail, brings this action *pro se*. To proceed with a civil action in this court, a plaintiff must either pay \$402 in fees – a \$350 filing fee plus a \$52 administrative fee – or, to request authorization to proceed without prepayment of fees, submit a completed and signed *in forma pauperis* (“IFP”) application. *See* 28 U.S.C. §§ 1914, 1915.

By order dated March 31, 2023, the Court directed Plaintiff to either pay the fees or file an IFP application and a prisoner authorization. (ECF 5.) On April 13, 2023, the Court received from Plaintiff a completed and signed prisoner authorization (ECF 6) and an incomplete and unsigned IFP application (ECF 7); Plaintiff filed only one page of the two-page IFP application, and did not include its signature page. Thus, the Court is unable to conclude that Plaintiff is unable to pay the fees to bring this action.

Accordingly, within 30 days of the date of this order, Plaintiff must either pay the \$402 in fees or submit an amended IFP application. If Plaintiff submits an amended IFP application, it should be labeled with docket number 1:23-CV-2656 (LTS), and address the deficiencies described above; Plaintiff must fully complete, sign, and submit the amended IFP application. If

the Court grants the amended IFP application, Plaintiff will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

No summonses shall issue at this time. If Plaintiff complies with this order, this action shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: April 21, 2023
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge